

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

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2008 AUG 22 A 10:45

DEBRA P. HACKETT, CLERK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

NATHANIEL SHAW  
PLAINTIFF,

v.

D. T. MARSHALL, et al.,  
DEFENDANTS.

CASE NO. 2:07-CV-606-ID

### COURT ORDER

COMES NOW THE PLAINTIFF NATHANIEL SHAW,  
(PRO SE) IN ACCORDANCE WITH THE FEDERAL RULES  
OF CIVIL PROCEDURE AND PURSUANT TO THE  
APPROPRIATE RULE AND AUTHORITY AND  
MOVES THIS HONORABLE COURT TO ENTER  
A COURT ORDER TO STOP THE DEFENDANTS  
FROM DENYING THE PLAINTIFF OPEN  
ACCESS TO THE COURT.

### GROUND

THE PLAINTIFF IN THE ABOVE CAPTION  
CASE NUMBER ON AUGUST 4, 2008 FILED A  
GRIEVANCE CONCERNING THE USE OF THE LAW  
LIBRARY HOWEVER FROM THE RETURN REPLY  
IT IS STATED THIS FACILITY DOES NOT HAVE  
A LAW LIBRARY I AM ENCLOSING A COPY

OF THIS REPLY AS (EXHIBIT A). IN THE VERY SAME REPLY IT IS STATED THAT THE FACILITY HAS A GENERAL LIBRARY WITH LEGAL BOOKS IN IT. THE PLAINTIFF REQUESTED AGAIN TO USE THE LIBRARY AFTER BEING REFUSED BY OFFICER HENRY, FOR STATING ON MY REQUEST I REQUEST TO USE THE LAW LIBRARY. THANK YOU! THE PLAINTIFF WAS DENIED THE USE OF THE LIBRARY ON THE ACCOUNT OF THE WORDS 'USE THE LAW LIBRARY' ON THAT REQUEST. THE PLAINTIFF WAS TAKEN TO THE LIBRARY ON AUGUST 20, 2008 HOWEVER AT THIS VISIT TO THE GENERAL LIBRARY THE LAW BOOK THE FEDERAL RULES OF CIVIL PROCEDURE HAS BEEN REMOVED FROM THE LAW BOOKS IN THE GENERAL LIBRARY. THE PLAINTIFF WILL ASSERT AT THIS TIME HE IS BEING DENIED ACCESS TO THE COURT DUE TO THE FACT THAT THE DEFENDANTS IN STATING THEY DON'T HAVE A LAW LIBRARY CAN IN FACT REMOVE THE LAW BOOKS AT WILL AND RETURN THEM AT WILL THEREFORE, DENYING THE OPEN ACCESS TO THE COURT. THE OFFICER MS. HENRY, OUT OF MALICE DUE TO THE FACT I FILED A GRIEVANCE FOR NOT ALLOWING

FOR NOT ALLOWING ME TO USE THE LAW LIBRARY, THE REQUEST FORM ITSELF DOESN'T HAVE BUT ONE SPACE THAT HAS LIBRARY ON IT. THE PLAINTIFF WILL ASSERT THAT USE OF THE GENERAL LIBRARY IS ONLY PROVIDED THIRTY MINUTES (30) EVERY TWO WEEKS WHICH AMOUNT TO FIFTEEN (15) MINUTES TO USE THE LAW BOOKS IN THE GENERAL LIBRARY AND IF THE PLAINTIFF ISN'T ALLOWED TO USE THE LAW BOOK THE FEDERAL RULES OF CIVIL PROCEDURE AND MY FAMILY ISN'T ALLOWED TO PURCHASE THE LAW BOOK FROM THE COMPANY AND HAVE THE COMPANY FORWARD THE LAW BOOK TO ME, THE PLAINTIFF IS THEN BEING DENIED ACCESS TO THE COURT.

### CONCLUSION

THE COURT HAS ORDERED A JURY TRIAL WITH JURY SELECTION AND TRIAL ON MONDAY, OCTOBER 20, 2008 AT 10:30 A.M., THE PLAINTIFF IS BEING PLACED AT A GROSS DISADVANTAGE IN THE PREPARATION OF A TRIAL BY THE DEFENDANTS IN DENYING THE PLAINTIFF ACCESS TO THE USAGE OF THE LAW BOOK. THE FEDERAL

RULES OF CIVIL PROCEDURE. THERE IS A PRETRIAL SET FOR SEPTEMBER 23, 2008.

RELIEF SOUGHT

THE PLAINTIFF REQUEST HE BE ALLOTTED (8) EIGHT HOURS A WEEK USAGE OF THE LAW BOOK THE FEDERAL RULE OF CIVIL PROCEDURE FROM THIS DATE AUGUST 20 2008 UNTIL OCTOBER 20, 2008 THE DATE OF THE TRIAL. THE PLAINTIFF REQUEST OF THE COURT SINCE THERE IS SO MUCH BIAS AGAINST THE PLAINTIFF BY THESE DEFENDANTS SINCE THE COURT HAS ORDERED A JURY TRIAL. THE PLAINTIFF ONCE AGAIN REQUEST A CHANGE OF VENUE AND HE BE PLACED IN A SECURE FEDERAL DETENTION FACILITY WITH OPEN ACCESS TO A LAW LIBRARY.

IT IS SO PRAYED UNDER THE PENALTY OF PERJURY.

DONE ON THIS 20<sup>th</sup> DAY OF AUGUST 2008

RESPECTFULLY SUBMITTED  
Nathanil Shaw  
NATHANIE SHAW  
#89354 M.C.D.F.  
P.O. BOX 4599  
MONTGOMERY, AL. 36103

## CERTIFICATE OF SERVICE

I CERTIFY THAT A TRUE AND CORRECT  
COPY OF THE FOREGOING HAS BEEN FURNISH  
VIA U.S. MAIL POSTAGE PRE PAID TO AS  
FOLLOWS; ON THIS 20<sup>th</sup> DAY OF AUGUST  
2008

OFFICE OF THE CLERK  
UNITED STATES DISTRICT COURT  
P.O. BOX 711  
MONTGOMERY ALABAMA  
36101-0711

ATTORNEY MICHEAL BOYLE  
CITY ATTORNEY  
P.O. BOX 1111  
MONTGOMERY, ALABAMA  
36104

SIGNED:

Nathaniel Shaw

NATHANIEL SHAW

# 89354 M.C.D.F.

P.O. BOX 4599

MONTGOMERY, ALABAMA  
36103

## GRIEVANCE DECISION


GRIEVANCE NO. \_\_\_\_\_ CELLBLOCK: 2A

INMATE NAME: NATHANIEL SHAW BOOKING NO. 89354

This is NOT a grievance!

This facility DOES NOT have a Law Library. We have a General Library with legal books in it.

You will have to send a request for the library and then use the law books while you are there.

Signature of Grievance Clerks:  Date: 08/08/08